

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

C-SPINE ORTHOPEDICS, PLLC,

Plaintiff,

Case No. 20-cv-12240

Hon. Matthew F. Leitman

v.

EMPIRE FIRE AND MARINE
INSURANCE COMPANY,

Defendant.

**ORDER (1) DENYING DEFENDANT’S MOTION FOR SUMMARY
JUDGMENT (ECF No. 13) AND MOTION TO STRIKE (ECF No. 16)
WITHOUT PREJUDICE AND (2) REFERRING MATTER FOR
SETTLEMENT CONFERENCE**

On February 15, 2022, the Court held a hearing on (1) Defendant Empire Fire and Marine Insurance Company’s motion for summary judgment (ECF No. 13) and (2) Empire’s motion to strike the affidavit and opinion testimony of witness Brenda Sellnow (ECF No. 16). For the reasons explained on the record during the motion hearing, the motions are **DENIED WITHOUT PREJUDICE**.

As further described on the record, the parties shall now submit a stipulated protective order to the Court. Following the entry of that order, Empire shall produce the FAIR Health, Inc. affidavit referenced in Empire’s summary judgment motion to Plaintiff.

Finally, the Court now **REFERS** this matter for a settlement conference before the assigned the Magistrate Judge. The settlement conference shall be conducted in person, and both parties shall have an individual present at the settlement conference that has full settlement authority. If the case does not settle at the settlement conference, the Court will hold a status conference to discuss the next steps in this action. In the meantime, other than submitting the protective order and producing the FAIR Health, Inc. affidavit as described above, there shall be no further action taken in this case pending the outcome of the settlement conference.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: February 15, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 15, 2022, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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